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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/797,606

03/11/2004

Masato Kurokawa

042190

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38834

7590

12/26/2008

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
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WASHINGTON, DC 20036

EXAMINER

GUDIBANDE, SATYANARAYAN R

ART UNIT

PAPER NUMBER

1654

MAIL DATE

DELIVERY MODE

12/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10797606	3/11/2004	KUROKAWA ET AL.	042190

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EXAMINER

SATYANARAYANA R. GUDIBANDE

ART UNIT	PAPER
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1654	20081221
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Commissioner for Patents

The amendment to claims submitted do not comply with the sequence listing requirements. The amendments as presented recites the definition of the polypeptide 'P' as a hybrid sequence two partial sequences individually represented by independent SEQ ID NOs., i.e., for example, "a polypeptide having 13 Arg Gly Asp sequences (SEQ ID NO: 1) and 13 (Gly Ala Gly Ala Gly Ser)⁹ sequences ((residues 1-6 of SEQ ID NO: 7)⁹) chemically bonded to each other in an alternating fashion". In this case the peptide P is chemically bonded to 13 molecules of Arg Gly Asp (SEQ ID NO: 1) with 13 molecules of Gly Ala Gly Ala Gly Ser repeated 9 times of the partial sequence from SEQ ID NO: 7.

According to MPEP 2423.03, "In 37 CFR 1.822(e) the procedures for presenting and numbering hybrid and gapped sequences are set forth. A sequence that is made up of one or more noncontiguous segments of a larger sequence or segments from different sequences, i.e., a hybrid sequence, shall be presented as a separate sequence. In the situation where a contiguous fragment of a sequence that has already been properly set forth in a "Sequence Listing" is discussed and/or claimed, the fragment does not need to be separately included in the "Sequence Listing."

In the instant case the hybrid peptide "P" is not defined well in the specification and is not represented by a proper SEQ ID NO. The definition of peptide "P" using partial sequences of individual sequences does not comply with the sequence rules.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satyanarayana R. Gudibande whose telephone number is 571-272-8146. The examiner can normally be reached on M-F 8-4.30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

